

YELLOWSTONE RIVER CONSERVATION DISTRICT COUNCIL

CONSERVATION DISTRICT MEMBERS: Carbon, Custer, Dawson, Park, Prairie, Richland, Rosebud, Stillwater, Sweet Grass, Treasure, Yellowstone, McKenzie County North Dakota

Meeting Minutes -- April 21, 2005

MSU-Billings College of Business – Room 163

Members Present: Steve Story, Stillwater CD; Paul Gilbert, Sweet Grass CD; Tony Barone, Richland CD; Gay Easton, Yellowstone CD; Dave Schwarz, Prairie CD; Darryl Stutterheim, Park CD; Kenny Nemitz, Dawson CD; Jim Rogers, Rosebud CD; Phil Fox, Treasure CD and Orvin Finsaas, McKenzie ND, CD.

Others Present: Warren Kellogg, NRCS; Stan Danielsen, YRCDC Coordinator; Jim Robinson, DNRC; Burt Williams, TNC-RAC; Brent Espin, USBR; Kelly Gilbertson, YRCDC Project Assistant; George Jordan, USFWS; Penny Landon, Carbon CD Administrator; Greg Johnson, ACOE; Danielle Jones, MSU; Amy Rose, Montana Water Center and Carol Watts, Custer CD.

Chairman Steve Story called the meeting to order at 10:10 am on Thursday April 21, 2005. Introductions were made. Steve commented that there would be a tele-conference at 1:00 pm in room 306 with Baucus's office in Washington D.C.

TAC update: See attachment for Warren's notes. Warren gave the floor to Greg Johnson who told us there is still a request in for \$300,000 of additional FY05 money for the COE. Greg said the tele-conference would be about proposed legislation related to the Yellowstone River. Ralph Rosa was approached by the Senator from Missouri who is working on the WRDA bill to put something into the bill that would benefit Senator Baucus concerning a project for the Yellowstone River. They took section 514 which is a different study authority and reworded it to be specific to the Yellowstone River and its tributaries. This would be for habitat and eco-system restoration. The cost share is 65/35. Greg thought it might be possible to incorporate this with fish passage at the Carterville Dam. Steve Story was concerned about the time line. Greg said the WRDA bill would probably not be passed until November. Congress would still need to appropriate money. Jim Robinson asked if it would provide for erosion easements. Greg said yes.

Danielle Jones from MSU- Bozeman spoke next about the avian study. Birds are an indicator of wildlife because the resources required for them also apply to other wildlife. Documenting the birds using the vegetation gives an idea of potential wildlife habitat. Danielle will be in the field this summer doing point counts. This data will tell which types of species there are and how abundant they are. There will be a narration done at the end of the summer. Danielle is the only person employed to do this study this summer. The reaches will be chosen at random. Most of the ground will be private so landowner permission will be necessary. This work is spelled out in the scope and is funded by The Nature Conservancy.

Warren reported that the landowner meetings in Richland, McKenzie, and Dawson counties went very well. It is important to keep the landowners updated. Stan will be working with the conservation districts to get the landowner lists completed, so when it is time to contact the individual landowners the list will be ready.

Warren spoke about grant writing next and said Susan Gilbertz mentioned that MSU-Billings is hiring a Grants Director who might help the Council write grants. The TAC also suggested the Council contact Mike Carlson of RC&D. Tony Barone questioned why this was necessary. The Council members felt that we should take any help that is available. Gay Easton also suggested the Big Sky Economic Development Center as a source of assistance. Dave Schwarz said he liked it when the grants were written by a committee. Stan mentioned that sometimes the time frame is limited and there are not a lot of grants that fund studies. Jim Rogers said there was no reason to ignore a resource but it is important to know what the obligations are. Tony will talk to the RC&D.

Warren said the Invasive Species compilation report is finished. A copy will be sent to Kenny Nemitz. Electronic copies will be available if anyone else wants to view it. The Council needs to decide if the report should be on the web-site. Money left over in the RDGP grant, a grant from the Cinnabar foundation, and COE funds will fund a revised scope of work that would include a

literature review and field work. An RFP will be written for this. Greg Johnson asked what the schedule for this was and Warren said it would be less than a month. Greg said the COE would need a Cooperating agreement with Custer CD.

Tele-Conference: Steve Story introduced Karen Bridges and asked her to give a brief history of the new WRDA legislation. Karen said there were no COE projects to be funded in the WRDA Bill so they set up an interim program to give flexibility as they are working through the study. If projects come up they will have money authorized to proceed. She asked if this was something that the Council would approve. Jim Robinson said the DNRC had forwarded comments. Liz said there would be a planning process involved between the study and the project. After some discussion it was decided that Liz would get the new language from Karen and disperse to Council members.

TAC Update continued: The meeting continued with Greg Johnson commending Stan Danielsen for doing a good job with the add request to Congress for the COE part of the corridor study.

Warren addressed concerns about the socio-econ scope of work. Dave Schwarz had written a statement voicing his concern that Susan Gilbertz's proposal did not fall under the sanction of the Council. Susan Gilbertz will do her study with the Michigan students on her own and with no connection to the Council. This fall Dave Schwarz, the RAC and the TAC will sit down with Susan Gilbertz and look at the work that was done and see if a similar study might be done for the CES. Warren thanked Dave Schwarz for taking the time to review the proposal from Susan.

Jim Robinson reported that the TAC had developed a historical aerial photograph acquisition using RDGP dollars. A contract has been let to DTM Consulting. The photography is for 1950, 1976, 1995 and 2001 and the bank lines will be digitized. This will identify where the channels had the most movement and where future studies may be necessary. The digitized photos can be overlaid on the physical features inventory.

The TAC will not be meeting in May but would like to meet with the Council in June.

The "lessons learned" with Merrick is available in the attached TAC report.

Coordinator's Report: Stan Danielsen presented a nomination package for Steve Story to the RAC. Steve is the manager of the Hobbie Diamond Ranch in Sweet Grass County. Dave Schwarz made the motion to accept the nomination, Tony Barone seconded and the motion carried.

The reimbursement policy was discussed and Dave Schwarz wanted the line "when funds are available" deleted from page four of the Standing Rules. The reimbursement policy was not available to the members and will be discussed at another meeting. The Council agreed to take that phrase out by consensus vote.

There was no budget committee meeting but one will be scheduled for January of 2006 when we will be closer to the end of the fiscal year.

MOUs are still needed from the Bureau of Reclamation, USGS, NRIS, MSU-Billings, and MSU-Bozeman. Stan will follow up on this.

Business meeting: Treasurer's report was given by Carol Watts. The financial report shows all the activity in the account since the last meeting. The grant statement shows the balances in the grant funds. Carol stated that some expenses had been moved from the NRCS money to the 2004-2005 pass-through grant. Carol asked if the Yellowstone Weed District could be paid and she was told yes. The minutes were read and Phil Fox noted some grammatical errors. Dave Schwarz made a motion to correct the minutes. Tony Barone seconded and the motion passed.

Elections: Steve Story nominated Paul Gilbert to be the new chairman. Dave Schwarz seconded. Motion carried. Tony made a motion that nominations close and we elect Walter Rolf as vice chairman by unanimous ballot. Everyone said aye and the motion carried. It was not known if a May meeting will be held. The chairman will make that decision at a later date.

The meeting adjourned at 3:00 pm.

Respectfully submitted,

Carol Watts, CCCD Administrator

**Yellowstone River TAC Mtg.
April 20, 2005 – MSU Billings, MT
Meeting Notes**

Attendees:	Brent Esplin (BOR)	Jim Robinson (DNRC)
	George Jordan (USFWS)	Dustin Baker (YCWD)
	Stan Danielsen (YRCDC)	Scott Bockness (YCWD)
	John Kilpatrick (USGS)	Danielle Jones (MSU-Bozeman)
	Scott Rickard (MSU-Billings)	Jim Bond (DEQ)
	Greg Johnson (ACOE)	Burt Williams (TNC-RAC)
	Dave Schwarz (YRCDC – Prairie CD)	Warren Kellogg (NRCS)
	Susan Gibertz (MSU-Billings)	

General Topics

- Army Corp of Engineers' (ACOE) Montana visit during the week of March 21st – Greg Johnson reviewed their week-long tour and meetings in Montana that week. The District Commander expressed interest in both the Intake and Cartersville fish passage ventures potentially using a variety of ACOE programs (65%-35% cost share). He would like to do something during fiscal year 2006, but given the current ACOE program funding levels, their involvement in one or more of these projects may be more realistic in 2007 or later.
- Landowner Outreach – There were two landowner meetings held on April 18th (Sidney - Richland/McKenzie) and April 19th (Glendive - Dawson). There was good attendance at both meetings. The TAC made a recommendation to the Council that they direct Stan D. and the individual CDs to complete a landowner contact list that includes landowner names, addresses, phone numbers, and level of interest for all those who live in the selected representative reaches. This needs to be a high priority before we begin field work this spring. The Avian field people will be on the ground in late May.
- Grant Writing Assistance: Susan Gibertz mentioned that MSU-Billings is currently in the process of hiring a Grants Director who might help the Council with some grant writing. There is also the possibility of having the Eastern Plains RC&D assist the Council in the same regard. It was suggested to the Council that they contact Mike Carlson with Eastern Plains RC&D for their future assistance.

Geomorphology/Hydraulics/Hydrology

- Hydraulic Scope of Work – Cartersville fish passage: Before alternatives can be developed for the Cartersville diversion/fish passage, the TAC will need to know what the extent and kinds of survey data that are needed. Brent M. (BOR-Denver) will provide this information in the next couple weeks. Brent Esplin will follow-up on this.
 - * There is a good likelihood that YRCDC could use the BOR's Technical Assistance to States (TATS) program to complete either the necessary survey/data collection or the conceptual design work. TATS could provide up to \$75,000. worth of in-house BOR technical assistance. We may also be able to use ACOE funds if there are add-on 2005 funds allocated to the Yellowstone River CES.
 - * George Jordan and Stan Danielsen will be the TAC's contacts with the Cartersville irrigators.
- Topographic Mapping: Conducted a "lessons learned" session with Merrick, Inc. regarding the topographic mapping they did on Dawson, Yellowstone, and Stillwater counties. Overall, the work that Merrick did was very good and will adequately meet the objectives outlined in their contract. Lessons learned by both the TAC and Merrick and recent technological advances would make future topographic mapping even more precise and cost effective.
- Historical Aerial Photography Acquisition: Jim Robinson gave an up-date on the current contract with DTM (private consultant in Bozeman). This is a \$25,000 contract due to expire at the end of June. They are waiting to receive scanned 1976 photos from ACOE and are acquiring 1949/1950 photos from various sources to be scanned and rectified. The bank lines on each photo set will then be digitized to show channel changes and migration patterns over a 50 year period.

Biological Scopes of Work

- Invasive Species Scope of Work: Scott Bockness and Dustin Baker have completed the data/information compilation (Task#1). This information will be given to Kenny Nemitz and any others on the Council for their review. We would like to put it on the Yellowstone web site if the Council agrees.
 - * The TAC and ACOE is currently working on a revised scope of work that would include an invasive species cumulative effects literature review (Task #2) that would then be followed up by field work that would characterize the extent and sources of weed infestations along the Yellowstone River (Task#3). Task #2 would be completed before the field work is started to determine what information would need to be gathered in the field in 2006.
 - * It will be recommended to the Council that a RFP for the literature review be developed and awarded this spring for Task #2. Funding for Task #2 could come from the following sources: DNRC RDGP grant (~\$30,000.), Cinnabar Foundation (\$10,000.), and ACOE funds (\$15,000.).
 - * Scott Bockness mentioned that there may be federal funds targeted for salt cedar that may soon be available. There is a 4-state plan being put together to tap into this money which could apply, in part, towards the Yellowstone CES.
- Avian Scope of Work: MSU-Bozeman (Danielle Jones) will be starting the avian work by doing some random sampling within some of the representative reaches to better refine the field work for 2006-2007. The initial avian effort is scheduled for this May or June. It will be funded and contracted through the Nature Conservancy (\$25,000.) and be counted as part of the Council's non-federal in-kind match. Notifying landowners and gaining access is an immediate priority for getting this effort off the ground.
 - * MSU-Bozeman will be contributing Andy Hansen's time as non-federal in-kind to the effort.
- Fisheries Scope of Work: George Jordan handed out a draft supplement to the Fisheries Scope of Work. This is an outline of fishery habitat work that FW&P will be doing on the lower Yellowstone. It will have neither Council nor ACOE funding associated with it. Comments from the TAC are due back to George by the end of April.
- Water Quality Scope of Work: Jim Bond (DEQ) reviewed the status of the water quality scope of work. The compiling of existing water quality data has been contracted out to a private consultant and is scheduled for completion by the end of May. It is being funded through EPA. This effort was initiated by EPA as part of their TMDL process, but we are expecting that it will also meet the need of the Yellowstone CES. There remain some questions as to whether this work will be comprehensive enough to meet our CES needs. We will review their work later this spring and make a recommendation to the Council on how to proceed.
- Wetlands Scope of Work: The TAC and ACOE is working with the Montana Wetlands Coordinator (Lynda Saul) on a revised draft scope of work. It will be available for review by May or June.

Socioeconomic Scope of Work

- Socioeconomic Scope of Work
 - * The sociology task (Task #2) has been put on hold until later this fall until we have time to discuss it with the Council and ACOE. Main topics that will be included in the interviews will focus on: water quality, water quantity, floodplain development, and bank stabilization. Scott Rickard and Susan Gibertz will provide the TAC and Council examples of similar work that they have done.
 - * Greg informed us we will still need OMB's review and approval of the interview questions irregardless of whether there is ACOE funds used on this task or not. The interview questions and methodology will first be reviewed with the Council for their approval before submitting them to the OMB.
 - * Scott Rickard gave an up-date on his draft database design for the demographics/economics work. He will complete the draft in May and present it to the TAC and Council this summer.
 - * The MOU between Custer CD and MSU-Billings is currently being reviewed by the University. The waiver of the university's indirect costs would be included in the MOU.